



ARIZONA DEPARTMENT OF TRANSPORTATION

INTERMODAL TRANSPORTATION DIVISION
ENGINEERING CONSULTANTS SECTION
205 South 17th Avenue - Room 293E, Mail Drop 616E
Phoenix, Arizona 85007



JANE DEE HULL
Governor

MARY E. PETERS
Director

July 30, 1998

THOMAS G. SCHMI
State Engineer

Engineering Consultants Section

INFORMATION BULLETIN 98-17

TO: Consultants

FROM: Engineering Consultants Section *Ron*

SUBJECT: Five Year Construction Program

The purpose of this memo is to advise consultants that the Arizona Department of Transportation 1999 Five Year Construction Program will be available for distribution through Engineering Records on August 10, 1998. The program can be purchased by calling Engineering Records at (602) 255-8216 or in writing. Engineering Records is located at 1655 W. Jackson, Mail Drop 112F, Phoenix, AZ 85007.

If you have questions regarding this bulletin, please call (602) 255-7525.



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JANE DEE HULL
Governor

MARY E. PETERS
Director

July 1, 1998

THOMAS G. SCHMITT
State Engineer

Engineering Consultants Section INFORMATION BULLETIN 98-15

TO: Consultants

FROM: Engineering Consultants Section *Row*

SUBJECT: Senate Bill 1207, Indemnification

With regards to Senate Bill 1207, effective July 1, 1998, enclosed is a copy of the revised indemnification language Engineering Consultants Section will use in all Architectural and Engineering Contracts that are not currently in progress.

If you have questions regarding this bulletin, please call (602) 255-7525.

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4.14 INDEMNIFICATION - RESPONSIBILITY FOR CLAIMS AND LIABILITIES

1. For professional liability:

To the fullest extent permitted by law, the CONSULTANT shall indemnify and hold harmless the State of Arizona, acting by and through the Arizona Department of Transportation, its agents, representatives, and employees, from and against claims, damages, losses and expenses (including but not limited to attorney fees, court costs, and the cost of appellate proceedings), arising out of or resulting from the CONSULTANT'S professional wrongful acts, errors, mistakes or omissions to the extent attributable to the CONSULTANT'S fault. This duty to indemnify and hold harmless shall extend to include all negligence, acts, errors, mistakes and omissions which are or may be legally imputed to the STATE. CONSULTANT'S duty to hold harmless and indemnify the STATE, its agents, representatives and employees shall arise in any connection with any claim, damage, loss or expense that is attributable to bodily injury, sickness, disease or death, or injury to or destruction of tangible property including loss of use resulting therefrom, caused by any wrongful act, error, mistake or omission of the CONSULTANT, anyone directly or indirectly employed by them or anyone for whose acts they may be liable, regardless of whether or not it is caused in part by a party indemnified hereunder, including the STATE.

2. Other than Professional Liability:

To the fullest extent permitted by law, the CONSULTANT shall indemnify and hold harmless the State of Arizona, acting by and through the Arizona Department of Transportation, its agents, representatives, and employees, from and against claims, damages, losses and expenses (including but not limited to attorney fees, court costs, and the cost of appellate proceedings), arising out of or resulting from the CONSULTANT'S services to the extent attributable to the CONSULTANT'S fault. This duty to indemnify and hold harmless shall extend to include all negligence, acts, errors, mistakes and omissions which are or may be legally imputed to the State. CONSULTANT'S duty to hold harmless, and indemnify the STATE, its agents, representatives and employees shall arise in any connection with any claim, damage, loss or expense that is attributable to bodily injury, sickness, disease or death, or injury to or destruction of tangible property including loss of use resulting therefrom, caused in whole or in part by any negligent act or omission of the CONSULTANT, anyone directly or indirectly employed by them or anyone for whose acts they may be liable, regardless of whether or not it is caused in part by a party indemnified hereunder, including the STATE.